

COMBINED DECLARATION FOR PATENT
APPLICATION AND POWER OF ATTORNEY
(Includes Reference to PCT International Applications)

ATTORNEY'S DOCKET NUMBER
2364/100

As a below named inventor, I hereby declare that:

11 DEC. 2000

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

STRESS TOLERANT PLANTS

the specification of which (check only one item below):

☐ is attached hereto.

☐ was filed as U.S. Patent Application Serial No. _____ on _____ and was amended on _____ (if applicable).

☒ was filed as PCT International Application Number PCT/EP99/02696 on 21 April 1999.

I hereby state that I have reviewed and understand the contents of the above-identified specifications, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

PRIOR APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:

| COUNTRY (IF PCT, indicate "PCT") | APPLICATION NUMBER | DATE OF FILING (day, month, year) | PRIORITY CLAIMED UNDER 35 USC 119 |
|-------------------------------------|--------------------|--------------------------------------|---|
| PCT | PCT/EP99/02696 | 21 April 1999 | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |
| Europe | EP 98201279.1 | 21 April 1998 | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |
| | | | <input type="checkbox"/> YES <input type="checkbox"/> NO |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT International filing date of this application:

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120:

| U.S. APPLICATIONS | | STATUS (Check One) | | | |
|---------------------------------------|------------------|---------------------------------------|---------|-----------|--|
| U.S. APPLICATION NUMBER | U.S. FILING DATE | PATENTED | PENDING | ABANDONED | |
| | | | | | |
| | | | | | |
| PCT APPLICATIONS DESIGNATING THE U.S. | | | | | |
| PCT APPLICATION NO. | PCT FILING DATE | U.S. SERIAL NUMBERS ASSIGNED (if any) | | | |
| PCT/EP99/02696 | 21 April 1999 | | | X | |
| | | | | | |

COMBINED DECLARATION FOR PATENT APPLICATION
AND POWER OF ATTORNEY (Continue)

ATTORNEY'S DOCKET NUMBER
2364/100

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. **Ann R. Pokalsky, Registration No. 34,697; Alice Y. Choi, Registration No. 45,758; Georgia Evans, Registration No. 44,597; Michael L. Goldman, Registration No. 30,727; Gunnar G. Leinberg, Registration No. 35,584; Edwin V. Merkel, Registration No. 40,087; Joseph M. Noto, Registration No. 32,162; Grant E. Pollack, Registration No. 34,097**

Send Correspondence to:

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Direct Telephone Calls to:
(name and telephone number)

Ann R. Pokalsky
(516) 832-7572

| | | | | |
|-------------|-------------------------|---|---|--|
| 1-00 201 | FULL NAME OF INVENTOR | FAMILY NAME <u>Burssens</u> | FIRST GIVEN NAME <u>Sylvia</u> | SECOND GIVEN NAME |
| | RESIDENCE & CITIZENSHIP | CITY <u>Zottegem</u> | STATE/FOREIGN COUNTRY <u>Belgium BEX</u> | COUNTRY OF CITIZENSHIP <u>Belgium</u> |
| | POST OFFICE ADDRESS | P.O. ADDRESS <u>Bosstraat 60</u> | CITY <u>Zottegem</u> | STATE & ZIP CODE/CTRY <u>9620 Zottegem Belgium</u> |
| 2-00 202 | FULL NAME OF INVENTOR | FAMILY NAME <u>Verbruggen</u> | FIRST GIVEN NAME <u>Nathalie</u> | SECOND GIVEN NAME |
| | RESIDENCE & CITIZENSHIP | CITY <u>Ixelles</u> | STATE/FOREIGN COUNTRY <u>Belgium BEX</u> | COUNTRY OF CITIZENSHIP <u>Belgium</u> |
| | POST OFFICE ADDRESS | P.O. ADDRESS <u>53, Avenue des Saisons</u> | CITY <u>Ixelles</u> | STATE & ZIP CODE/CTRY <u>1050 Ixelles Belgium</u> |
| 3-00 303 | FULL NAME OF INVENTOR | FAMILY NAME <u>Inzé</u> | FIRST GIVEN NAME <u>Dirk</u> | SECOND GIVEN NAME |
| | RESIDENCE & CITIZENSHIP | CITY <u>Moorsel-Aalst</u> | STATE/FOREIGN COUNTRY <u>Belgium BEX</u> | COUNTRY OF CITIZENSHIP <u>Belgium</u> |
| | POST OFFICE ADDRESS | P.O. ADDRESS <u>Driesstraat 18</u> | CITY <u>Moorsel-Aalst</u> | STATE & ZIP CODE/CTRY <u>9310 Moorsel-Aalst Belgium</u> |
| 4-00 404 | FULL NAME OF INVENTOR | FAMILY NAME <u>Beeckman</u> | FIRST GIVEN NAME <u>Tom</u> | SECOND GIVEN NAME |
| | RESIDENCE & CITIZENSHIP | CITY <u>Merelbeke</u> | STATE/FOREIGN COUNTRY <u>Belgium BEX</u> | COUNTRY OF CITIZENSHIP <u>Belgium</u> |
| | POST OFFICE ADDRESS | P.O. ADDRESS <u>Avenskouter 9</u> | CITY <u>Merelbeke</u> | STATE & ZIP CODE/CTRY <u>9820 Merelbeke Belgium</u> |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

| | | |
|---|---|---|
| SIGNATURE OF INVENTOR 201 <u>14/12/2000</u> <u>[Signature]</u> | SIGNATURE OF INVENTOR 202 <u>[Signature]</u> | SIGNATURE OF INVENTOR 203 <u>[Signature]</u> |
| DATE <u>14/12/2000</u> | DATE <u>11-01-2001</u> | DATE <u>08-01-2001</u> |
| SIGNATURE OF INVENTOR 204 <u>[Signature]</u> | | |
| DATE <u>13/12/2000</u> | | |

STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))—SMALL BUSINESS CONCERN

Docket No.

Applicant, Patentee, or Identifier: BURSENS, Sylvia et al.
Application No.:
Application Filed:
International Application No.: PCT/EP99/02696
International Filing Date: 21 April 1999 (21.04.99)
Title: Stress Tolerant Plants

I hereby state that I am:

- ☐ the owner of the small business concern identified below;
☒ an official of the small business concern empowered to act on behalf of the concern identified below.

NAME OF SMALL BUSINESS CONCERN: CropDesign N.V.

ADDRESS OF SMALL BUSINESS CONCERN: Technologiepark 3, 9052 Zwijnaarde-Gent, Belgium

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☒ the specification filed herewith with title as listed above.
☐ the application identified above.
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.
☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING

JOHAN CARDEN

TITLE OF PERSON IF OTHER THAN OWNER

Vice-President, Technology Alliances and IP-Management

ADDRESS OF PERSON SIGNING

TECHNOLOGIEPARK 3, B-9051 GENT, BELGIUM

SIGNATURE

DATE SEPTEMBER 20, 2000